

Mount Vernon Planning and Zoning Commission
Minutes
April 13, 2011
City Hall Council Chambers, 6:30 PM

Meeting was called to order by Richard Peterson at 6:30 PM. Members present: Trude Elliott, Carol Chamberlain, Truman Jordan, Dave Davis, Richard Peterson. Absent: Jerry Keleher and Rich Hileman.

1. Approval of Agenda and March 9, 2011 minutes. These documents stand approved unless otherwise indicated by Commission members.
2. Open Forum: each citizen limited to 5 minutes per discussion item.
3. Zoning Administrator Report and presentation of Gary's Foods Store sign. Gruver gave his monthly Administrator report, available at City Hall. In regards to the Gary's Foods sign, Gruver went on to say that he had received an e-mail complaint from Council member Marty Christensen saying that the sign was not in compliance with the sign ordinance. Gruver responded by asking for specifics on what was objectionable. The next message Gruver received was from the Mayor. Gruver said that he had discussed with the owner of Gary's how he should change the sign to bring it into compliance with the zoning ordinance. While he was meeting with the owner, changes were made to the sign to bring it into compliance with Perry's interpretation of the code. At the next P&Z meeting Gruver informed the board of that discussion and asked if there were any objections to the sign. When he received the e-mail from Marty Christensen, the sign had changed from the time of that meeting but in his opinion not grossly so, however the video taped the sign but the nature of Marty's e-mail suggested to Perry that there was more violation to the sign than he was interpreting there to be. Gruver then re-documented the sign, took another look at it and tried to figure out what the objections were and he has since met with the owner of Gary's and asked him to make changes to the sign. Those changes have been made and if the Commission would like, he could play the series of videos that he has taken of the sign prior to the first meeting, since then and recently what it looks like after the meeting. The commission agreed that they would like to see the video. Jordan asked if the problem was that it had moving text in it. Gruver showed the most recent video before his meeting with the owner and the video from after the meeting. Gruver stated that his interpretation of the code is that it allows for transitions and motion but each message must become static and remain so for three seconds. The interpretation that he believes Christensen is working from is that motion is not allowed in any form at all, ever. Jordan said that there was a lot of motion in this sign and one of the things that happened when the rules went from six seconds to

three seconds, it made this type of sign more possible and that possibility wasn't discussed. Elliott disagreed. She stated that the owner has chosen to advertise where there is a lot of information rather than putting up a couple of items and repeating them. In her opinion he has complied. Gruver stated that Christensen has identified that either there is a problem with the enforcement of the code or there is a problem with the vagueness of the code, or possibly both. Gruver said that he was hoping to get a list of objections. Peterson said he didn't think the Commission needed to revisit the sign ordinance until someone came up with specifics. He also said that Gary's sign meets the "spirit" of the electronic sign part of the ordinance just fine.

4. Worksession on proposed Design Standards Ordinance. Peterson said that he took the ordinance that the commission has been working on and wrote and re-wrote a good portion of it to help with bringing it to a conclusion. Revisions were made to sections of the current ordinance and previous changes to the draft standards. Commission members went over general formatting of the standards and continued discussion on the contents of the ordinance. Peterson will make changes to the proposed ordinance and send to commission members and also include a glossary.
5. Set public hearing on proposed Design Standards Ordinance. The consensus was to wait until June for the public hearing. Peterson will send the changes to Ed Sauter for input.

Meeting adjourned at 8:25 PM.

Respectfully submitted,
Marsha Dewell
Administrative Assistant